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Conklin, Maegan L

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From: Greene, Richard L (PRM)
Sent: Friday, November 04, 2005 6:10 PM
To: McCormack, Sean I(PA FRONT); Bellinger, John B (L Bureau)(L-FO)
Subject: FW: 11-04-05 Daily Press Briefing and final guidances + ICRC guidance

Attachments: dpb # 189 November 4.doc; 110405 ICRC - CIA prison.doc; 11-04-05 Final Guidances.doc

RELEASED IN FULL

Sean -- from our perspective (and I recognize that there are many perspectives on this issue) well done and thanks
-----Original Message-----

From: Eisenhauer, Peter A
Sent: Friday, November 04, 2005 4:46 PM
To: PRM/DAS; PRM/Directors and Deputies; PRM/MCE
Subject: 11-04-05 Daily Press Briefing and final guidances + ICRC guidance

Excerpt from dpb below is re: ICRC queries. Final guidances did not include the cleared guidance on this topic, which I have also attached here.



dpb # 189 110405 ICRC - CIA 11-04-05 Final
member 4.doc (89 K) prison.doc (...) Guidances.doc (...)

QUESTION: Have you received requests from the EU for cooperation into the reported secret prisons in Europe?

MR. MCCORMACK: I have checked on that, George, and we have not, at this point, received any requests from the EU concerning those news reports. My understanding from reading the news reports is that the EU is actually make requests of member states or potential member states, states with which they are having accession talks. So at this point, we have not received any inquiries from the EU on those news stories.

QUESTION: A follow-up on that?

MR. MCCORMACK: Jonathan, yeah.

QUESTION: Does the International Red Cross have access to all U.S. prisoners?

MR. MCCORMACK: This is a topic that came up yesterday and we --

QUESTION: Okay. Apologies.

MR. MCCORMACK: We talked a bit about it yesterday. We have an ongoing dialogue with the ICRC on a number of -- across a number of different issues. And that dialogue and the contents of that dialogue, by tradition, has been confidential and that has served the aims and work of the ICRC, so I have to respect the diplomatic confidentiality.

There have been news reports and the ICRC has commented in public that it has requested access to all detainees worldwide. And again, we have a dialogue with the ICRC on a number of different issues and we try to engage them as best we can.

I would note that the Department of Defense has -- the ICRC has access to all Department of Defense facilities

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where detainees are held, whether that's in Iraq or Afghanistan or Guantanamo Bay. We've talked a lot about that over the past couple of days.

If there are any future inquiries from the ICRC on these news accounts, I would expect that we would receive those inquiries and continue our dialogue with the ICRC on the broader issue of detainees.

QUESTION: I think that's a confusing answer though, Sean. You said they have access to DOD facilities in Iraq, Guantanamo and Afghanistan and if they made requests, you would, I guess consider them in the future, you said. But they have made requests that, if you have other locations, they want to visit these detainees.

MR. MCCORMACK: As I said, you know, I have to separate out these two things. We do have an ongoing dialogue with the ICRC. We have -- on any given day, we probably have a meeting with the ICRC on a topic of mutual interest, whether it's detainees or other issues. As I said before, those -- that dialogue is a confidential dialogue. It's a confidential diplomatic exchange. I'm not at liberty to discuss the contents of those dialogues.

And as I said, I have seen ICRC statements, public statements in the past, concerning requests to see all detainees. I can only say that we have an ongoing dialogue with the ICRC on questions related to detainees. And I did point out that the ICRC has access to all detainees held by the Department of Defense in those locations where they may be held, whether it's Iraq, Afghanistan or Guantanamo Bay.

QUESTION: I guess my question is have you not received, through your private channels then, a request from the ICRC? Is the only request you know about the one that you've read publicly in news reports?

MR. MCCORMACK: Like I said, we have -- you know, we have meetings every single day or on any given day we may have a meeting with the ICRC if -- you know, based on their public statements, which again, I have read recently. They said they would renew their request to see all detainees based on the recent news reports that have been out in *The Washington Post* and the *Financial Times* and in other news organizations. And I fully expect that, based on their public statements, that they would renew that request.

QUESTION: So they haven't --

MR. MCCORMACK: And as I said, we have meetings -- we have meetings --

QUESTION: You're just being repetitive. Have they or have they not made the request?

MR. MCCORMACK: Again, we have -- you know, we meet with the ICRC. I will try to keep you updated as best I can if, in fact, they have renewed that request. There are bounds in which -- by which I am constrained in terms of the confidentiality of the ICRC dialogue. I will do my best to keep you updated on any requests that they have made.

QUESTION: Without addressing the question of requests they have made, the original question -- well, not the original, but the first follow-up -- was does it have access to all detainees worldwide, not necessarily limited to DOD detainees?

MR. MCCORMACK: Right. And as I said, we do have -- we have a dialogue with them on that issue.

QUESTION: It doesn't go to dialogue. It goes to do they have access to.

MR. MCCORMACK: As I said, they -- and we've talked about this over the past couple of days. They have access to Department of Defense detainees at facilities where those detainees are held, whether that's Guantanamo Bay, Afghanistan or Iraq.

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